

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

**HORACIO CARRICA, Individually, and on)
Behalf of All Others Similarly Situated,)
)
Plaintiffs,)
)
v.) Case No. 09 CV 3728 (JFB/MLO)
)
MORTGAGE WORLD BANKERS, INC.,)
STEPHANOS LAGOUDIS, MICHAEL) ECF Case
LAGOUDIS, and JOHN LAGOUDIS,)
)
)
Defendants.)**

PLAINTIFFS' MOTION TO PROCEED AS A COLLECTIVE ACTION
AND FACILITATE NOTICE UNDER 29 U.S.C. §216(b)

Plaintiff HORACIO CARRICA on behalf of himself and all other similarly situated employees who worked for MORTGAGE WORLD BANKERS, INC., STEPHANOS LAGOUDIS, MICHAEL LAGOUDIS and JOHN LAGOUDIS (collectively “Defendants”), by and through their counsel of record, move this Honorable Court for an order:

1. Conditionally certifying this case as a Section 216(b) collective action;
2. requiring Defendants to produce a computer-readable data file containing the names, addresses and telephone numbers of such potential opt-in members so that notice may be issued; and
3. authorizing notice by U.S. first class mail to all similarly situated persons employed by Defendant as loan officers or other similarly titled positions from August 27, 2006 to the present to inform them of their right to opt-in to this lawsuit.

This motion is based on the Memorandum of Law, opt-in consent forms, declarations, pleadings, Defendant's documents and other exhibits in support thereof, as well as other supplemental documents or testimony which may be presented at the time of hearing.

Dated: November 18, 2009

Respectfully submitted,

/s/ Erik H. Langeland
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